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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/607,731

06/27/2003

Narendra Lackshminarasimha

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EXAMINER

QURESHI, AFSAR M

ART UNIT

PAPER NUMBER

2616

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

04/06/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

5K

Office Action Summary	Application No. 10/607,731	Applicant(s) LACKSHMINARASIMHA ET AL.	
	Examiner Afsar M. Qureshi	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 November 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-28 and 30 is/are rejected.
- 7) ☒ Claim(s) 10 and 29 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 November 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claim 15 (16-22) rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is not clear if claim 15 is a System claim or a Method claim. Claim 15 appears to be System claim, however, in line 4, it recites, "said method comprising:".

Proper correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1- 9, 11-28, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Breitbart et al. (US 6,697,338) in view of Gupta et al. (US 2003/0009699).

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As to claims 1, 15, 23, Breitbart et al ("Breitbart" hereinafter) disclose a method of determining physical connectivity between elements. Each element has one or more interfaces (ports) each of which is physically linked with an interface (port) via physical connections (col. 4, lines 12-21, col. 6, lines 12-16) of another element. Address (MAC address) sets are generated for each interface of the network element corresponding to a given map or list and compared with the received addresses (see Abstract, col. 1, lines 51-62, col. 2, lines 38-50, and col. 3, lines 32-39).

As to claims 3-8, 17-20, 22, 25-27, Breitbart further discloses routers R1.. and subnets 1.. each subnet having plurality of switches s1, s2,.. (figs. 1 and 2), wherein any router or a switch can be a source and any other router or switch can be a destination (see col. 4, lines 38-48). Breitbart also discloses address forwarding tables of the elements incorporating set of MAC addresses accessible, viewed or readable from interfaces (ports) identifying the interconnections between network elements. These interfaces (ports) are compared to addresses in the MAC address table (claim 8) (see Abstract, col. 3, lines 27-43 and col. 4, lines 60 through col. 5, lines 1-14).

As to claims 2, 16 and 24, Breitbart does not specifically disclose a map comprising reference information (claims 2, 16, 24); receiving a listing that identifies other connected devices. However, one of ordinary skill in the art would readily realize that this listing is not different from *drivers*, loaded in a computer (CPU), associated with all the devices connected to it.

As to claims 1, 9, 11, 12, 21 and 28, Breitbart also fails to specifically disclose a computer readable preprogram to perform a method of verifying as claimed herein, and of generating a report identifying discrepancies as in claims 1, 9, 11, 12, 21, 28.

Gupta et al. ("Gupta" hereinafter) disclose a computer system comprising memory unit 50, computer program and a processor to carryout instructions for verifying the connectivity of devices in the network (see [0038], [0050], figures 1 and 2). Gupta further discloses generating a report identifying discrepancies and any instances of abnormality (see [0053]) (claims 9, 11, 12, 21, 28)

As to claims 13, 14 and 30, these limitations are already discussed in the rejection of claim 1 above (see figures 1 and 2 of US 6,697,338, and, figure 2 of US 2003/0009699).

Therefore it would have been obvious to one of ordinary skill in the art, at the time of invention, to be able to incorporate the computer system and programs taught by Gupta and, especially, Signature analysis and Anomaly Detection element 84 (fig. 3) in order to calculate the values for the Internet protocol field range and connectivity range in a heterogeneous IP network comprising one or more subnets sought by Breitbart.

Allowable Subject Matter

3. Claims 10 and 29 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wood (US 6,108,702); Orr et al. (5,727,157); Raab et al. (US 5,850,397).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Afsar M. Qureshi whose telephone number is (571) 272 3178. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Field Lynn can be reached on (571) 272 2092. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

4/4/2007


AFSAR QURESHI
PRIMARY EXAMINER